UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,300	09/27/2001	Robert A. Koch	00986	5035

45695 7590 01/25/2007 WITHERS & KEYS FOR BELL SOUTH P. O. BOX 71355 MARIETTA, GA 30007-1355	**EXAMINER** NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
2616	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	09/966,300	KOCH ET AL.
	Examiner	Art Unit	
	Steven HD Nguyen	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 November 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-10,12-15,17 and 18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-10, 12-15 and 17-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2.   Claims 1, 3-11 and 12-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. the specification does not disclose the second database having stored therein the call request which comprises an IP address of the Internet enabled device. The specification discloses the first database stored call request and addition information such as IP address of pocket PC device (See Page 11, Sec 27 and Page 12, Sec 29).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1 and 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang (USP 6879678) in view of O'Neal (USP 6640242).

Regarding claim 1, Lang discloses an apparatus for allowing a calling party to initiate a

telephone call from an Internet-enabled device, the apparatus comprising a server (Fig 1, Ref 60)

operative for receiving an originating telephone number and a destination telephone number in

response to a command from the Internet-enabled device (Fig 1, Ref 10 and Fig 2, call request

which is generated by Ref 10 for transmitting to server, includes a caller and called number),

wherein at least the destination telephone number is imported from a first database external to

the server is in communication with the non-secure data network (Col. 2, lines 52-58, destination

number is retrieved from a directory database via internet or local database); generating a call

request (Col. 7, lines 13-55, generating a call connection for transmitting to POP), and

transmitting the request from a non-secure data network to a telecommunications network to

request the telecommunications network to establish a connection between the originating

telephone number and the destination telephone number (Col. 7, lines 13-55, generating a call

connection for transmitting to POP via packet network and Fig 3D), wherein the server is further

in communication with a second database, the second database having stored therein the call

request, the call request comprising an Internet Protocol address of the Internet-enabled device

(See col. 7, lines 1-13, call request queue is a database for storing the call request message which

is received from internet enable device Ref 10, has a IP address in order to transmit a call status

from the server to the internet enable device Ref 10, See Fig 3D, Ref 255). However, Lang fails

to disclose a call controller and POP which includes a secure Internet Protocol network and

PSTN. However, O'Neal discloses a POP which includes firewall and LAN and telephone

system for using to dial the telephone numbers (Fig 20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply a firewall and LAN as disclosed by O'neal into Lang because POP

that includes LAN and firewall is well known and expected in the art. The motivation would

have been to prevent unwanted traffic to LAN and protect customer database.

Regarding claim 3, Lang teaches that the server transmits the call request to a service

control point of the telecommunications network and wherein the call request includes

instructions that cause the service control point to establish the connection through operation of

at least one switch of the telecommunications network that is in communication with the service

control point (Fig 3D, Col. 7, lines 39-55).

Regarding claim 4, Lang further teaches that the telecommunications network includes an

advanced intelligent network (AIN) (Fig 1, PSTN and POP).

Regarding claim 5, Lang teaches that the apparatus further comprising a communications

network (Fig 1, Ref 25) for connecting the Internet-enabled device (Fig 1, Ref 10) to the server

(Fig 1, Ref 60).

Regarding claim 6, Lang teaches that the Internet-enabled device is selected from the

group consisting of a personal computer, an Internet appliance, a personal digital assistant, a

WAP-enabled device, and an interactive pager (Col. 5, lines 35-52).

5.   Claims 7-10, 12-15 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over O'Neal (USP 6990094) in view of O'Neal (USP 6640242) and Lang (USP 6879678).

Regarding claims 7-8, 12-13, 15 and 17-18, O'Neal (USP 6990094) discloses a method

of enabling a calling party to initiate a telephone call, the method comprising receiving a request

to initiate the telephone call from a first device of a non-secure data network (Fig 5, Ref 504) at a

server (Fig 5, Ref 512) of a secure data network, wherein the secure network is an Internet

Protocol network and the first device is associated with the calling party; receiving an originating

telephone number; receiving a destination telephone number by the first device accessing an

online telephone directory of a first database maintained on the non-secure data network (Fig 6,

Ref Yellow Pages is used to retrieve destination number and col. 9, lines 23-47); and

transmitting a call request containing the originating telephone number and the destination

telephone number from the server over the secure Internet Protocol network to a

telecommunications network to request the telecommunications network to originate the

telephone call from a second device associated with the originating telephone number to a third

device associated with the destination telephone number (col. 9, lines 23-47, Fig 10). However,

O'Neal '94 fails to disclose POP which includes a secure network for receiving a call request. In

the same field of endeavor, O'Neal '42 discloses a POP includes a secure IP network for

receiving a call request for transmitting to PSTN (Fig 20). However, O'Neal '94 and '42 fail to

disclose the server is in communication with a second database, the second database having

stored therein the call request, the call request comprising an Internet Protocol address of the first

device. In the same field of endeavor, Lang discloses the server is in communication with a

second database, the second database having stored therein the call request, the call request

comprising an Internet Protocol address of the first device (See col. 7, lines 1-13, call request

queue is a database for storing the call request message which is received from internet enable

device Ref 10, has a IP address in order to transmit a call status from the server to the internet

enable device Ref 10, See Fig 3D, Ref 255).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply a method and system for storing the IP of address of a device as

disclosed by Lang into the system of O'Neal '42 which discloses a structure of NOC and POP

which include the firewall in order to protect the LANs from unwanted traffic into the teaching

of O'Neal '94. the motivation would have been to provide a status message back to the device

and protecting the unwanted traffic.

Regarding claim 9, Lang teaches that the server transmits the call request to a service

control point of the telecommunications network and wherein the call request includes

instructions that cause the service control point to establish the connection through operation of

at least one switch of the telecommunications network that is in communication with the service

control point (Fig 3D, Col. 7, lines 39-55).

Regarding claim 14, Lang teaches accepting a personal identification number (PIN) from

the first device in order to prevent unauthorized (Col. 9, lines 59-61).

6.   Claim 10 rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal '94, '42 and

Lang as applied to claim 7 above, and further in view of Wiener.

Regarding claim 10, O'Neal '94, '42 and Lang fail to disclose the service control point

performing a look-up in an associated database to determine whether the requested call

should be completed. In the same field of endeavor, Weiner discloses performing a look-up in an

· associated database to determine whether the requested call should be completed (Col. 7,

lines 38 to col. 8, lines 55, validate PIN).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply a method and system for validating account at the PSTN before

establishing a call as disclosed by Weiner into O'Neal '94, '42 and Lang. The motivation would

have been to prevent fault.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159.

The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.
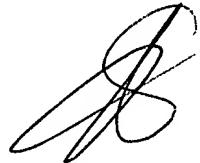
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